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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS:

LUDL -2

SERIAL NO.:

10/002,545

GROUP:

2872

FILED:

OCTOBER 26, 2001

EXAMINER: T.O.NGUYEN

TITLE:

AUTOMATED SLIDE LOADER CASSETTE FOR MICROSCOPE

MAIL STOP: AFTER FINAL Commissioner of Patents

P.O. BOX 1450

Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicant hereby appeals to the Board from the decision of the Primary Examiner mailed

April 2, 2004 finally rejecting claims 21 and 22.

The items checked below are appropriate:

1.	STATL	JS OF A	APPLI	ICANT

This application is on behalf of

other than a small entity

small entity

Verified statement

attached

already filed on _

FEE FOR FILING NOTICE OF APPEAL 2.

Pursuant to 37 CFR 1.17(e), the fee for filing the Notice of Appeal is:

small entity

\$165.00

other than a small entity

\$330.00

Notice of Appeal fee due \$ 165.00

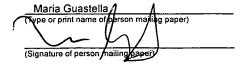
3. **EXTENSION OF TERM**

The time periods set forth in 37 CFR 1.191 are subject to the provision of § 1.136 for patent applications 37 CFR 1.191(d). (But see 37 CFR 1.645 for extension of time in interference proceedings and 37 CFR 1.550(c) for extension of time in reexamination proceedings.)

CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner of Patents and Trademarks, P.O. Box 1450, Alexandria, VA 22313.

Date: September 21, 2004



(Notice of Appeal from the Primary Examiner to Board - Page 1 of 3)

8 475.00 09/24/2004 WABDELR1 00000089 10002545

(complete (a) or (b) as applicable)

	The p	oroceedi	ings herein are for a	a patent application and the provi	sions of 37 CFR 1.136 apply.		
	(a)	X Applicant petitions for an extension of time under 37 CFR 1.17(a)-(d) for the total number of months checked below:					
		Exte	nsion	Fee for other than	Fee for		
	(months)		nths)	small entity	small entity		
		one month		\$ 110.00	\$ 55.00		
	two months		o months	\$ 420.00 \$ 950.00	\$210.00 \$475.00		
		x three months					
		fo	ur months	\$1,480.00	\$470.00		
					Fee \$ <u>475.00</u>		
	If an a	addition	al extension of tim	e is required, please consider th	nis a petition therefor.		
(check and complete the next item, if applicable)							
	An extension for month has already been secured and the fee page of \$ is deducted from the total fee due for the total months of now requested.						
				Extension fee do	ue with this request \$ <u>475.00</u>		
				or			
	(b)	_	conditional petition	ves that no extension of tern on is being made to provide for th erlooked the need for a petition a	e possibility that applicant has		
4.	TOTA	AL FEE	DUE				
	The t	The total fee due is:					
		Notic	e of Appeal fee	<u>165.00</u>			
		Exter	nsion fee (if any)	<u>475.00</u>			
				T	OTAL FEE DUE \$ 640.00		
5.	FEE	FEE PAYMENT					
	X	Attached is a check in the sum of \$_640.00					
	_	Charge Account No the sum of \$ A duplicate of this transmittal is attached.					

(Notice of Appeal from the Primary Examiner to Board - Page 2 of 3)

6. FEE DEFICIENCY

NOTE: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, 1065 O.G. 31-33.

_X If any additional extension and/or fee is required, charge account No. _03-2468 .

AND/OR

X If any additional fee for claims is required, charge account No. 03-2468.

Reg. No.:

26,048

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(516) 365-9802

SIGNATURE OF ATTORNEY

Edward R. Freedman

Type or print name of attorney

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